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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,806	07/17/2003	David Randall Blea	TUC920030018US1	1456

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EXAMINER	
ROSE, HELENE ROBERTA	

ART UNIT	PAPER NUMBER
2163	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/621,806	BLEA ET AL.	
	Examiner	Art Unit	
	Helene Rose	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *4/6/2007(RCE)*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/6/2007 has been entered.

2. Claims 1, 8, and 15 have been amended. No claims were cancelled or added. Therefore, Claims 1-20 is pending.

Claim Rejections-35 U.S.C 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 3-5, 7-8, 10-12, 14-15, 17-20 are rejected under 35 U.S.C. 103(a) as being obvious over Roth et al (US Patent No. 6,738,152, Date Filed: Dec. 11, 1998, hereinafter Roth) in view of Kekre et al (US Patent No. 7,191,299, hereinafter Kekre).

Claims 1, 8, and 15:

Regarding claims 1, 8, and 15, Roth teaches a method for creating a copy services solution, comprising:

receiving a document describing the copy services solution wherein the copy services solution describes a chain of **multiple** base copy types and **wherein the document describes at least one base copy type with an** event and an action to be performed for that event, wherein the document is not directly executable (column 1, lines 42-47, wherein this reads over "generating print events to provide a specific print service to a client application where the print events request information from the client application according to the specific print service and receiving responses to the print events from the client application where at least one response includes print data to be printed to a destination, wherein this includes registering the client application with a print manager and wherein the print manager supplies print commands to other destinations such as a document formatting component ~ see column 2, lines 44-47, Roth),

Roth discloses wherein the base copy types include a continuous base copy type that refers to a base copy services solutions in which copying is performed (column 7, lines 34-36, wherein the client application continues to request print events until the print session is terminated).

However, Roth is silent with respect to wherein the base copy types include a continuous base copy type that refers to a base copy services solutions in which copying is performed **from a first storage to a second storage when data is written on the first storage.**

On the other hand, **Kekre** teaches wherein the base copy types include a continuous base copy type that refers to a base copy services solutions in which copying is performed **from a first storage to a second storage when data is written on the first storage** (column 7, lines 11-20, wherein this reads over

"the data previously stored within the first region of primary data volume is transferred or copied into the corresponding first region of snapshot volume and so forth and lines 26-33 wherein data is successively read from each region or position of snapshot volume 404 and if no write operation has been performed to a corresponding location within primary data volume 400 (e.g., all positions in FIG. 4a) data is simply read through the snapshot volume 404 to the base primary data volume 400 and copied into or transferred to a secondary data volume, Kekre).

Roth does teach a point-in-time base copy type that refers to a base copy services solutions in which a copy of data is made at a given point in time (column 6, lines 40-45, wherein this reads over "the print manager communicates information from the client attribute list and the progress through the print session including the next scheduled print event as necessary, wherein each print service component performs appropriate functions based on the current state, Roth);

converting the document to executable code (column 1, lines 12-14, wherein the reads over "the print manager converts higher level graphics instructions into a language of control commands for use with a target printer, Roth); and

executing the code to perform one or more base copy services solutions described with the chain of **multiple** base copy types in the document (columns 9-10, lines 52-67 and lines 1-23, wherein this reads over "a print service which can be provided by a print service component is tile printing, wherein in tile printing, a graphic object that is larger than the physical size of the target paper is printed by printing sections, i.e., tiles of the object on multiple pieces of

paper, wherein a user then reconstructs the object by aligning the individual tile pages wherein the use of tile printing provides a process for producing a coherent physical representation of the graphical object and so forth, Roth).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate Kekre teachings into Roth system. A skilled artisan would have been motivated to combine as suggest by Kekre [see abstract] for implementing a continuous copy service, which allows data to be replicated between a primary nodes and transferred to as secondary node for improving copy services solutions.

Claims 3,10, and 17:

Regarding claims 3, 10, and 17, Roth teaches wherein the document describes a session comprising one or more sequences and wherein each sequence represents a base copy type (column 5, lines 51-67 and column 6, lines 1-21, wherein describes wherein each print service component implements one or more print services and wherein the print manager interacts with the active print services to generate a sequence of appropriate event and lines 50-52, wherein this reads over "the print manager sequence notification of each print service component between events to facilitate the operation of the print service components, Roth).

Claims 4, 11, and 18:

Regarding claims 4,11, and 18, Roth teaches wherein at least one sequence includes characteristics for the base copy type represented by that sequence (column 6, lines 40-53, respectively, Roth).

Claims 5, 12, and 19:

Regarding claims 5,12, and 19, Roth teaches wherein at least one sequence includes an event and **one or more actions** to be performed for that event (columns 9-10, wherein this reads over "the print service component of the print manager performs calculations for transforming the single logical page of the client application to multiple tiles for printing and column 10, lines 26-29, wherein this reads over "color separations involving printing each color shown in a graphical object in separate layers possibly requiring multiple interactions of printing for a single graphical object, Roth).

Claims 7,14, and 20:

Regarding claims 7, 14, and 20, Roth teaches wherein converting the document to executable code further comprises:

identifying a base copy services solution to implement for a base copy type described in the document (column 4, lines 42-46, wherein this reads over "the print event record includes information which the client application 125 uses to determine the type of the print event represented by the print event record and to respond to the print event record, Roth).

5. Claims 2, 6, 13, and 16 are rejected under 35 U.S.C. 103(a) as being obvious over Roth in view of Kekre and further in view of Goiffon et al (US Patent No. 6,226,792, hereinafter Goiffon).

Claims 2,9, and 16:

Regarding claims 2, 9, and 16, the combination of Roth in view of Kekre does not teach wherein "the document comprises an Extensible Markup Language document".

On the other hand, Goiffen does teach wherein the document comprises an Extensible Markup Language document (column 7, lines 31-34, wherein file structures are a format into which a file is arrange by computer, wherein export/import exchanges are accompanied using self-defining intermediate file structures of the type utilized by various export/import standards such as extensible markup language. GOIFFON).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate Goiffon teachings into Roth and Kekre system. A skilled artisan would have been motivated to combine as suggest by Goiffon [column 7, lines 31-33] for implementing Extensible Markup Language within a document for defining the sequence and characteristics for the different copy services solutions.

Claims 6 and 13:

Regarding claims 6 and 13, the combination of Roth in view of Kekre does not teach wherein converting the document to executable code further comprises:

deserializing the Extensible Markup Language document to form one or more classes.

On the other hand, Goiffon does teach wherein converting the document to executable code further comprises:

deserializing the Extensible Markup Language document to form one or more classes (column 13, lines 52-57, GOIFFON), wherein each class includes data describing zero or more characteristics of a base copy type (column 22, lines 42-44, GOIFFON) and including zero or more methods representing actions to be performed for particular events (column 17, lines 47-50, GOIFFON).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate Goiffon teachings into Roth and Kekre system. A skilled artisan would have been motivated to combine as suggest by Goiffon [column 7, lines 31-33] for implementing Extensible Markup Language within a document for defining the sequence and characteristics for the different copy services solutions.

Prior Art of Record

(The prior art made of record and not relied upon is considered pertinent to applicant's disclosure)

1. Linde et al (US Patent No. 6,799,258)
2. GOIFFON et al (US Patent No. 6,266,792)
3. Roth et al (US Patent No. 6,738,152).
4. Kekre et al (US Patent No. 7,191,299)

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene R. Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 8, 2007

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